

PTO/SB/21 (09-04)

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FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

18

Application Number

10/709,739

Filing Date

May 26, 2004

First Named Inventor

I. Bentwich

Art Unit

1645

Examiner Name

Not yet assigned

Attorney Docket Number

06087.0302.CPUS00

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☒ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☒ CD, Number of CD(s) 3
☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify
below):
Response to Notice to Comply;
Statement Pursuant to 37 CFR
1.825(a) and (b); Transmittal Sheet
for Submission of Compact Disc
Pursuant to 37 CFR 1.52(e),
Sequence Listing (2 CDs) and
Computer Readable Form (1 CD)
on compact disc, and return-receipt
postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Howrey LLP

Signature

Printed name

Teddy C. Scott, Jr., Ph.D.

Date

October 28, 2005

Reg. No.

53,573

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Teddy C. Scott, Jr., Ph.D.

Date

October 28, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No. 06087.0302.CPUS00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bentwich, et al.

App. No.: 10/709,739

Confirmation No.: 3738

Filing Date: May 26, 2004

Title: BIOINFORMATICALLY
DETECTABLE GROUP OF NOVEL
REGULATORY VIRAL AND VIRAL
ASSOCIATED OLIGONUCLEOTIDES
AND USES THEREOF

Art Unit: 1645

Examiner: Not yet assigned

CERTIFICATE OF MAILING

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10/28/05

Date

Teddy C. Scott, Jr.
Teddy C. Scott, Jr., Ph.D.

Registration No. 53,573

**RESPONSE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosure dated August 29, 2005, Applicant submits herewith the following:

- Replacement Sequence Listing under 37 C.F.R. §1.825(a), submitted on a compact disc (two copies of compact disc) under §1.52(e);
- Substitute copy of the Sequence Listing in computer readable form (§1.81(e)), (one copy of compact disc) submitted pursuant to §1.825(b);
- Statement Pursuant To 37 C.F.R. §1.825(a) and (b) (1 page);
- Transmittal Sheet For Submission Of Compact Disc Pursuant To 37 C.F.R. §1.52(e) (1 page);
- Copy of the Notification to Comply with Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures (2 pages);
- Transmittal Letter (1 page); and
- Return receipt postcard.


No fees are believed to be due in connection with the filing of this Response; however, should any fees deemed to be necessary for any reason relating to this document, the Commissioner is hereby authorized to deduct the fees from Howrey Simon Arnold & White, LLP Deposit No. 08-3038, referencing the above-identified attorney docket number.

Respectfully submitted,

HOWREY LLP

Dated: October 28, 2005

By:

A handwritten signature in black ink, appearing to read "Teddy C. Scott, Jr.", written over the printed name and registration information.

Teddy C. Scott, Jr., Ph.D.
Registration No.: 53,573
Customer No.: 22930

HOWREY LLP
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APPLICATION NUMBER 10/709,712	FILING OR 371 (c) DATE 05/26/2004	FIRST NAMED APPLICANT Itzhak Bentwich	ATTORNEY DOCKET NUMBER 06087.0302.CPUS00
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NOV 02 2005

CONFIRMATION NO. 3738
 FORMALITIES
 LETTER

22930
 HOWREY LLP
 C/O IP DOCKETING DEPARTMENT
 2941 FAIRVIEW PARK DR, SUITE 200
 FALLS CHURCH, VA 22042-2924

Date Mailed: 08/29/2005

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

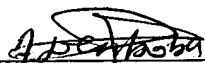
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

To Download Patent Software, visit <http://www.uspto.gov/web/patents/software.htm>
 For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "J. S. [unclear]", is written over a horizontal line.

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
PART 2 - COPY TO BE RETURNED WITH RESPONSE